IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 8334 OF 2005

Mrs. Noor Mahemooda Shaikh ...Applicant
Versus
State of Maharashtra ...Respondent

Mr. Aslam S.Shaikh for the Applicant.
Mr. S.S.Pednekar A.P.P for the Respondent.

CORAM : S.C. DHARMADHIKARI, J.
DATE : DECEMBER 22, 2005.

P.C.:

1. Heard Mr.Shaikh appearing for the applicant and Mr.Pednekar A.P.P for the State.

2. The husband of the present applicant alongwith others has allegedly attacked and assaulted the complainant after a fight which took place in the Transit accommodation at Turbhe. The applicant has not been specifically named in the statement of the injured - complainant. It is the husband of the applicant, who is allegedly involved in the attack and assault. The applicant has accompanied him. Moreover, the applicant has six school going children and her husband is under arrest. She has played the limited role as is clear from the statement of the complainant, hence she deserves to be released in the event of her arrest in the subject C.R.. Accordingly, following order :

i) In the event of the arrest of the applicant in connection with C.R.No.355/2005 registered with Trombay Police Station, Mumbai, the applicant shall be enlarged on bail in the sum of Rs.5000/- with one/two sureties in the like amount.

ii) Applicant shall attend Trombay Police Station, Mumbai once a week.

iii) Bail is granted subject to the condition that applicant shall not directly make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the police officer/investigating agency. Applicant shall not tamper with the prosecution evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) This order will enure to the benefit of the applicant only till charge sheet is filed. Thereafter he will be free to apply to the appropriate court for appropriate relief.

vi) Application disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

(S.C.DHARMADHIKARI,J.)